

April 1, 1981

LB 132, 466

CLERK: Senator Clark voting aye.

SENATOR CLARK: Record the vote.

CLERK: 37 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SENATOR CLARK: Motion carried. The bill is advanced. 466.

CLERK: Mr. President, LB 466 was introduced by Senators Cullan and Labeledz. Read title. The bill was referred to Public Health for hearing. It was advanced to General File on March 30th of this year. There was a motion to adopt committee amendments. That prevailed. I have nothing further on the bill at this time, Mr. President.

SENATOR CLARK: Senator Labeledz.

SENATOR LABEDZ: Thank you Mr. Chairman. When we were discussing LB 466 the last time Senator Johnson asked me a question and I would like to give him a clear reason, which I hope will satisfy him, on why and how we selected ten abortions per week. I would like to first address it to Senator Johnson, the bill on line, identifies ten or more abortions per week as the plateau in which Nebraska clinic licensing laws would be made available or made applicable even if performed in the office of a private physician. Senator Johnson has asked how the plateau of ten or more per week was selected. I believe that his was a good question and therefore I think deserves a good answer. The ten abortions per week figure was not arbitrarily selected. The clear purpose of this portion of LB 466 is to bring the large abortion clinics within the regulatory boundaries of the state statutes governing medical clinics. I do have the rules and regulations here on the . . . put out by the Health Department on clinics and that is one of the very reasons we thought it was very essential that they be licensed as a clinic. Number one, when a physician begins to perform more than ten abortions per week, in his or her private office, he or she creates a medical facility that differs dramatically from a private physicians office. This is exemplified by evidence given in Nebraska District Court during trial of the case dealing with LB 38 in 1978 and LB 316 in 1979 wherein there was testimony that following: (A) That Womens Services one of Nebraska only two abortion clinics in which is operated from a private physicians office engaged in virtually not counselling of its abortion patients. (B) That physicians at Womens Services and Ladies Center, Nebraska's other abortion clinic, which also operates out of the private office of a